

Amendments to the Claims:

This listing of claims will replace all prior versions and listing of claims in the application.

Listing of Claims:

1-8. (Canceled)

9. (Currently Amended) An apparel comprising:

an outer moisture transfer material treated by encapsulation for waterproofing;

a foam layer abutting the outer moisture transfer material; and

a non-woven material positioned adjacent to the foam layer such that the foam layer is located between the non-woven material and the outer moisture transfer material, wherein the foam layer is an open cell foam and has reversible enhanced thermal properties,

wherein the apparel is breathable and enables moisture vapor to be transferred therethrough.

10. (Currently Amended) An apparel according to claim 9, wherein the non-woven material has reversible enhanced thermal properties.

11. (Currently Amended) An apparel to be worn by an individual comprising:

an outer moisture transfer material which is treated by encapsulation for waterproofing;

a foam layer abutting the outer moisture transfer material; and

a nonwoven material attached to the foam layer such that the foam layer is located between the nonwoven material and the outer moisture transfer material, wherein the foam layer is treated with microencapsulation technology which can adjust to temperature changes

wherein the apparel is breathable and enables moisture vapor to be transferred therethrough so as to keep the individual dry.

12. (Previously Presented) An apparel according to claim 11, wherein the outer moisture transfer material is an encapsulated cotton blend.

13. (Previously Presented) An apparel according to claim 11, wherein the outer moisture transfer material is one of a group consisting of denim and chino fabrics.

14. (Currently Amended) An apparel comprising:
an exterior shell fabric;
a breathable, open cell foam material; and
a nonwoven material, wherein the open cell foam material is provided between the exterior shell fabric and the nonwoven material,

wherein at least one of the open cell foam and the nonwoven material has reversible enhanced thermal properties, and
wherein the apparel is breathable and enables moisture vapor to be transferred therethrough.

15. (Canceled).

16. (Currently Amended) An apparel according to claim 14 wherein the nonwoven material ~~is~~may be apertured.

17. (Previously Presented) An apparel according to claim 16 wherein the nonwoven material is a thermal nonwoven.

18. (Currently Amended) An apparel comprising:
an exterior shell fabric;
a breathable, open cell foam material; and
a knit material, wherein the open cell foam material is provided between the exterior shell fabric and the knit material,
wherein at least one of the open cell foam and the knit material has reversible enhanced thermal properties, and
wherein the apparel is breathable and enables moisture vapor to be transferred therethrough.

19. (Canceled).

20. (Currently Amended) An apparel according to claim 18 wherein the knit material ~~is~~may be apertured.

21. (Currently Amended) An apparel comprising:
an outer shell fabric; and
an open cell foam material that has reversible enhanced thermal properties,
wherein the apparel is breathable and enables moisture vapor to be transferred
therethrough.

22. (Previously Presented) An apparel according to claim 21, further comprising a nonwoven material.

23. (New) An apparel according to claim 9, wherein the apparel is breathable and enables moisture vapor to be transferred through the apparel